

Establishment of Immigration Appeal Board its very structure admits that there are two parts to it. There is an (a) part and a (b) part. The (a) part calls for striking out line 13 on page 6 and substituting a different line, and the (b) part calls for striking out lines 22 to 24 on page 6 and substituting different wording in those three or four lines.

Even though there are changes being made in the same clause of the bill, they are not only made in different parts of it but one could be passed and the other defeated one way or the other, and the clause as amended would still make sense. I submit, therefore, that they are two distinct propositions, to use the language of Beauchesne's citation 200, paragraph (4), and therefore that Your Honour should agree to the request that they be treated as two different motions and voted on separately.

● (5:20 p.m.)

Mr. Munro: Mr. Chairman, I wish to comment on what the hon. member for Winnipeg North Centre said, namely that there are two distinct propositions embodied in the amendment proposed by the minister. It is obvious that the two parts are directly related to each other. The first part of the amendment, which permits additional classes of people to make appeals, necessitated a consequent change toward the end of the paragraph, and therefore one part is directly related to the other. I suggest therefore that if the hon. member is advancing his argument on the basis that there are two separate parts to the amendment, then his argument falls, on that ground alone.

Mr. Brewin: Mr. Chairman, I do not want to speak on the point of order raised by the hon. member for Winnipeg North Centre but I want to add one new point on the general question of the amendment.

The Chairman: Perhaps the hon. member for Greenwood will permit me to make a few comments on the point of order before he proceeds with his remarks on the amendment.

I recognize the validity of citation 200 of Beauchesne's Fourth Edition as given by the hon. member for Winnipeg North Centre. It reads as follows:

(4) A motion which contains two or more distinct propositions may be divided so that the sense of the house may be taken on each separately.

I should also like to refer hon. members to May's Seventeenth Edition, page 407 where the following citation is to be found:

The house does not recognize the right of individual members to insist on the division of motions moved in committee of the whole house,

[Mr. Knowles.]

It appears to me that there is one motion before the Chair and I will rule that the amendment be considered as one motion before the committee.

Mr. Lewis: Mr. Chairman, in that case I move the following sub-amendment to the amendment before the house.

I move that the amendment be amended by deleting part (b) thereof.

The Chairman: The Chair considers that the sub-amendment moved by the hon. member for York South is quite in order.

Mr. Brewin: Mr. Chairman, I should like to speak on the amendment and I will try not to repeat what has been said already. I want to suggest to the house that no self-respecting legislature would grant a right of appeal which is to exist at the suffrance of an entirely different body. Without knowing to whom this right of appeal is given we are told by the minister that there are some limitations, the extent of which is not put before us. I know that in these days it is a quite common practice for legislatures and parliaments to legislate in a form which delegates to other bodies, such as the governor in council, the right to fill in the legislation. However, here we are given, in the nature of a legal right, the right to appeal. To give this right to one authority, and in the same breath say that someone else will have the right to define who shall have the right of appeal, is a monstrous anomaly. This is bad legislation, quite apart from the merits of this particular matter.

It would be irresponsible for the house to say to a group of people, "We are giving you the right of appeal," and at the same time to say "We are giving it to whomsoever the governor in council chooses to confer this right." I submit that this would be a very poor form of legislation and I support the amendment of the hon. member for York South.

The Chairman: Is the committee ready for the question? The question is on the sub-amendment.

Amendment (Mr. Lewis) negatived: yeas, 8; nays, 27.

Amendment (Mr. Greene) agreed to: yeas, 31; nays 4.

Mr. Bell (Carleton): Mr. Chairman, may I now put to the committee the following amendment which I mentioned earlier:

That the clause be further amended by adding thereto, after the word "application" in lines 20